



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,435	12/12/2003	William G. Swinton	6783P037	1434
8791 7590 07/25/2008 BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040				
EXAMINER				
MADAMBA, GLENFORD J				
ART UNIT		PAPER NUMBER		
2151				
MAIL DATE		DELIVERY MODE		
07/25/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/707,435

**Applicant(s)**

SWINTON, WILLIAM G.

**Examiner**

Glenford Madamba

**Art Unit**

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date 4/24/08
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is in response to remarks filed by Applicant's representative on April 24, 2008.

#### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 24, 2008 has been entered.

#### ***Response to Remarks***

2. With respect to Applicant's latest submission, the Office has given consideration to the remarks filed on April 24, 2008, but has deemed the arguments unpersuasive and/or insufficient to overcome the current rejection under Pyhalammi and Zuidema provided in the previous Office Action, as will be discussed below.

With respect to claim 1, Applicant firstly argues that the Pyhalammi prior art reference particular features of the claim, which recites in part “storing the media item at an original quality in a repository”. In support of his argument, Applicant remarks that while Pyhalammi discloses the storing of a thumbnail image in a database, the thumbnail image is not the original media item itself, but rather a representation of the content, and Pyhalammi thus does not disclose the above said argued limitation. The Office respectfully disagrees and submits that Applicant has misinterpreted and/or not fully considered all the teachings and disclosures of Pyhalammi and/or Zuidema.

In response to the argument, the Office firstly notes that Pyhalammi discloses as his invention a system and method for tracking content communicated over a network, wherein users can have the content ‘registered’ (in a database) and tracked. Content transmitted over the network is ‘*marked* and *registered*’ such that subsequent (future) transmissions, such as *message forwarding*, can be recognized as messages proliferate the network [Abstract].

In this regard, Pyhalammi additionally and expressly teaches that as part of is invention,

[0038] The message tracking system associates a *digital watermark* with the content as shown at block 202. In one embodiment, ‘marking the content’ in such a manner involves embedding electronically perceivable data into the content. The *digital watermark* may be created by, for example, encrypting one or more ‘attributes’ of the content to provide encrypted data, and/or providing a hashing function to hash one or more of

Art Unit: 2151

the content attributes to provide a machine authentication code (MAC). The results may be processed by a watermarking algorithm. More particularly, the 'attributes' of the content may include a subscriber identity such as a Mobile Station Integrated Services Digital Network (MSISDN) number, a message timestamp, the 'original content' itself, and/or other attributes. The watermarking process results in digitally watermarked content.

Based on the above, it is thus clear that Pyhalammi expressly teaches that content that is 'marked' (i.e., digitally-watermarked content) includes one or more 'content attributes' that may include at least one of a Mobile Station Integrated Services Digital Network (MSISDN) number, a message timestamp, the original content itself, and/or other attributes [0038].

Further, and with respect to Figure 3, Pyhalammi also expressly teaches that

[0043] FIG. 3 is a flow diagram illustrating another embodiment for tracking content and acting on content proliferation results in accordance with the present invention. A content tracking system receives 300 a message. This message may be from a content originator such as user-A, or from another user who has directly or indirectly received the message/content originated by user-A. It is determined 302 whether the message has been "watermarked" or otherwise 'marked' to enable its tracking. This "watermark" generally refers to some embedded, electronically perceivable data that allows the message to be tracked by the message tracking system. If the message is not watermarked as such, a watermark is added 304, and the content is stored as registered content at, for example, a registered content database 306. The message is then sent 308 to the targeted recipient. Once watermarked 304 and registered 306, further proliferation of the message can be tracked.

Thus, Pyhalammi not only discloses the registering and/or storing of auxiliary or lower-quality representation of the original content (i.e. thumbnail image version of the

Art Unit: 2151

original content) in a Registration Content Database 306 -and at least this much is noted by Applicant - he also expressly teaches and discloses digitally-watermarking, registering and storing the 'original content itself' for the tracking and monitoring of the transmitted or forwarded message / content (i.e., original image content) [0043] [0069-0070]. The argued claim feature of "storing the media item at an original quality in a repository" is thus expressly disclosed by Pyhalammi.

Further, with regards to the claim, Applicant secondly argues that neither Pyhalammi nor Zuidema teaches or discloses the recited claim limitation of "upon future of the lower quality substitute copy of the media item having said identifier, restoring the particular media item to the original quality using said identifier". The Office again respectfully disagrees and submits that Applicant has misinterpreted and/or not fully considered all the teachings and disclosures of the applied prior art reference(s).

In response to the argument, the Office remarks and points out that Pyhalammi expressly teaches in one embodiment that in an Internet site that may be monitoring and/or tracking 'message proliferation' statistics, such as the "Top 10 Forwarded Messages" [0055], wherein the 'messages' may be user-originated messages including associated 'content' such as text, images, video, or audio [0046-0047], users may use the message tracking system of the site to 'forward' messages to one another. In this regard, Pyhalammi expressly teaches that

Art Unit: 2151

[0056] In any event, users may browse to the site 600A, and may access the content associated with those users listed on the site 600A. In the case where the content includes images, thumbnail images 602 or other information indicative of the content may be presented. By viewing the images 602 or otherwise investigating the associated content presented via the site 600A, a browsing user may like the content and decide to forward it to another user(s). More particularly, user-D 604 may view a thumbnail image 602 associated with a message originating with user-A 606 whose message forwarding total is currently 6537 as shown at message count field 608A. User-D 604 forwards the message (and image) to other users, including user-E 610 and user-F 612, who may in turn forward it to one or more other users. As a result, the popularity of user-A's 606 image is even higher due to further proliferation of the message. The site 600B is updated, resulting in a higher value (6780) in the message count field 608B. Therefore, message proliferation may also be facilitated by users accessing the message/content from sources other than receiving the message directly from other users, such as by accessing the content from the WAP/web site 600A.

Thus, based on the above embodiment, it is thus clear that Pyhalammi expressly discloses that message content (e.g., an 'original image') may be replaced by a lower quality substitute copy of the image, such as a thumbnail image 602 representation of the original image or any other auxillary representation of the original image, and subsequently forwarded to another user as part of the message. The Office also notes with emphasis that a "thumbnail" image representation of the original image is, in fact, a 'reduced-size' and 'lower-quality version' of the original image, and Pyhalammi thus expressly teaches the claim feature of "replacing the media item in the message with a lower quality substitute copy that includes the identifier".

Additionally, with regards to the argued claim recitation of "...restoring the media item to the original quality using said identifier", the Office remarks that Pyhalammi expressly teaches as part of his invention that users who receive 'messages' accessed and forwarded from website 600A by a user, the message containing both the message and 'image' (e.g, thumbnail image 602), may be allowed to 'place an order' to obtain the 'original image' (e.g., actual image 706B) associated with the thumbnail image of the message [Fig. 6]. With reference to the cited figure, Pyhalammi teaches that a user may obtain the actual image 706B by 'clicking on' or otherwise 'selecting' the thumbnail image 706A included in the message to invoke an 'ordering service 708. In this regard, Pyhalammi additionally teaches that "after the 'order' has been accepted by the ordering service 708, the actual image 706B associated with the thumbnail image 706A is "sent" (e.g., via a MMS message) to the user, if the image is stored at the service such as in an image database 714" [0057-0058]. Based on the above, it is thus clear from the teachings that a user who receives and/or forwards a 'message with content' (e.g., thumbnail image) may opt for obtaining the 'actual image itself' by clicking on the thumbnail image which in turn invokes an ordering service for the 'actual image' associated with and/or identified by the thumbnail image. The argued claim limitation is thus taught by Pyhalammi.

Claims 29-31 recite identical features as those of claim 1, and the rejection of the claims are maintained at least for the same reasons provided above for claim 1.



With regards to Claims 20-21 and 50-51, the rejection of the claims are also thus maintained since it has been shown that Pyhalammi expressly teaches the recited feature of "restoring the particular media item to the original quality using said identifier", as in claim 1 above.

### ***Response to Amendments***

3. With respect to Applicant's latest submission, the Office has given consideration to the amendments (addition of new claim 15) filed on April 24, 2008, but is now deemed moot in view of the rejection under Pyhalammi in view of Zuidema provided below.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-19, 22-49 and 52-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pyhalammi et al (hereinafter Pyhalammi), U.S. Patent Publication US 2005/0091367 A1 in view of Zuidema et al (hereinafter Zuidema), U.S. Patent Publication US 2006/0031297 A1.

As per Claims 1, 29, 30 and 31, Pyhalammi in view of Zuidema discloses in a messaging system, a method for restoring media items to an original quality, the method comprising:

upon receipt of a message containing a media item that is new, storing the media item (202 and 204) at an original quality in a repository (306) [Figs. 2 & 3] [0043];

generating an identifier for identifying the media item stored in the repository (embedding / associating a digital watermark with the content 202) [Fig. 2] [0010] (e.g., subscriber identity, thumbnail image, or filename for the image/thumbnail image) [0039];

replacing the media item in the message with a lower quality substitute copy that includes said identifier (e.g., transmission/retransmission of "watermarked content") [Fig. 3] [0010-0011] (e.g., watermarked image 922a) [0063] [0070], and

upon future encounter of the lower quality substitute copy of the media item having said identifier, restoring the media item to the original quality using said identifier [0062-0065].

While Pyhalammi discloses substantial features of the invention such as the method of claim 1, and the method wherein the object reference identifier is embedded in a header for the JPEG image (i.e., indicator / watermark may be in the header) [0069], the additionally recited feature of the method wherein the original media item in

the message with a lower quality substitute copy that includes said identifier is expressly disclosed by Zuidema in a related endeavor.

Zuidema discloses as his invention a system for and method of controlling retransmission of a content item contained in a multimedia message. The method comprises: receiving the message containing the content item from a sender together with an identifier of an intended recipient of the message, processing the content item to detect the presence or absence of a watermark therein, if the absence of a watermark has been detected, causing a watermark to be embedded in the content item, and allowing retransmission of the message including the watermarked content item to the intended recipient, and otherwise controlling retransmission of the message including the content item to the intended recipient [Abstract]. In particular, Zuidema discloses the additional recited feature of the method wherein the original media item in the message with a lower quality substitute copy that includes said identifier [Zuidema: 00280035].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Pyhalamm's invention with the above said additional feature, as disclosed by Zuidema, for the motivation of providing a method of 'controlling' retransmission of a content item (e.g., images) contained in a multimedia message, including tracking of 'forwarded content', charging a fee for the retransmission, restricting forwarding of the watermarked content item or disallowing the retransmission [Abstract] [0001] [0009-012].

Claim 29, 30 and 31 recites the same limitations as claim 1, is distinguished only by statutory category, and thus rejected on the same basis.

As per Claims 2 and 32, Pyhalammi discloses the method of claim 1, wherein said original media item comprises a component in user-composed messages (e.g., digital image) [0031].

As per Claims 3 and 33, Pyhalammi discloses the method of claim 1, wherein said messaging system comprises Multimedia Messaging Service (MMS) [0003].

As per Claims 4 and 34, Pyhalammi discloses the method of claim 1, wherein said replacing step includes:

using an available data communications channel that exists for encoding said original media item, in order to encode said identifier (e.g., encoded data) [0061].

As per Claims 5 and 35, Pyhalammi discloses the method of claim 1, wherein said restoring step includes:

as the message containing the substitute copy passes through a switching center (i.e., MMSC 710) [0010-0011] [Fig. 7], restoring the particular media item to original quality by the switching center using the identifier to obtain the original media item stored in the repository [0062-0065].

As per Claims 6 and 36, Pyhalammi discloses the method of claim 1, wherein said restoring step includes: restoring the particular media item back to a first generation copy (original image 802) [0062].

As per Claims 7 and 37, Pyhalammi discloses the method of claim 1, wherein said messaging system comprises a message switch-based system [Fig. 4].

As per Claims 8 and 38, Pyhalammi in view of Zuidema discloses the method of claim 1, wherein said messaging system is able to allow transmission of a given media item in its original quality or decimate the given media item, as required for a given destination.

While Pyhalammi discloses substantial features of the invention such as the method of claim 1, and the importance of maintaining media object resolution quality such as when an image is 'resized' and retransmitted, he does not explicitly disclose the added feature of the method wherein said messaging system is able to allow transmission of a given media item in its original quality or decimate the given media item, as required for a given destination. The feature is disclosed by Zuidema in a related endeavor.

Zuidema discloses as his invention a system for and method of controlling retransmission of a content item contained in a multimedia message. The method comprises: receiving the message containing the content item from a sender together

with an identifier of an intended recipient of the message, processing the content item to detect the presence or absence of a watermark therein, if the absence of a watermark has been detected, \*causing a watermark to be embedded in the content item, and\* allowing retransmission of the message including the watermarked content item to the intended recipient, and otherwise controlling retransmission of the message including the content item to the intended recipient [Abstract]. In particular, Zuidema discloses the additional recited feature of the method wherein said messaging system is able to allow transmission of a given media item in its original quality or decimate the given media item, as required for a given destination [Zuidema: 0028] [0035] [0042].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Pyhalammi's invention with the above added feature, as disclosed by Zuidema, for the motivation of providing a method of 'controlling' retransmission of a content item (e.g., images) contained in a multimedia message, including tracking of 'forwarded content', charging a fee for the retransmission, restricting forwarding of the watermarked content item or disallowing the retransmission [Abstract] [0001] [0009-012].

As per Claims 9 and 39, Pyhalammi discloses the method of claim 1, wherein the message containing an original media is received from a mobile terminal [Fig. 4].

As per Claims 10 and 40, Pyhalammi discloses the method of claim 9, wherein the mobile terminal communicates via a multimedia messaging protocol .

As per Claims 11 and 41, Pyhalammi discloses the method of claim 1, wherein said identifier comprises an object reference identifier (e.g., subscriber identity, thumbnail image, or filename for the image/thumbnail image) [0039].

As per Claims 12 and 42, Pyhalammi discloses the method of claim 11, wherein said object reference identifier is capable of being embedded in the particular media item.

As per Claims 13 and 43, Pyhalammi discloses the method of claim 12, wherein the object reference identifier is embedded in a header of the particular media item (i.e., embedding data into content) [0010].

As per Claims 14 and 44, Pyhalammi in view of Zuidema discloses the method of claim 13, wherein said particular media item comprises a JPEG image, and wherein the object reference identifier is embedded in a header for the JPEG image (i.e., indicator / watermark may be in the header) [0069].

While Pyhalammi discloses substantial features of the invention such as the method of claim 1, and the method wherein the object reference identifier is embedded in a header for the JPEG image (i.e., indicator / watermark may be in the header) [0069], he does not explicitly disclose the additional feature of the method wherein said

particular media item comprises a JPEG image. The feature is disclosed by Zuidema in a related endeavor.

Zuidema discloses as his invention a system for and method of controlling retransmission of a content item contained in a multimedia message. The method comprises: receiving the message containing the content item from a sender together with an identifier of an intended recipient of the message, processing the content item to detect the presence or absence of a watermark therein, if the absence of a watermark has been detected, \*causing a watermark to be embedded in the content item, and\* allowing retransmission of the message including the watermarked content item to the intended recipient, and otherwise controlling retransmission of the message including the content item to the intended recipient [Abstract]. In particular, Zuidema discloses the additional recited feature of the method wherein said particular media item comprises a JPEG image [Zuidema: 0035].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Pyhalammi's invention with the above added feature, as disclosed by Zuidema, for the motivation of providing a method of 'controlling' retransmission of a content item (e.g., images) contained in a multimedia message, including tracking of 'forwarded content', charging a fee for the retransmission, restricting forwarding of the watermarked content item or disallowing the retransmission [Abstract] [0001] [0009-012].



Art Unit: 2151

As per Claims 15 and 45, Pyhalammi discloses the method of claim 1, wherein the identifier is embedded in the substitute copy as a binary text string (i.e., binary / text) [0062].

As per Claims 16 and 46, Pyhalammi discloses the method of claim 15, wherein the binary text string contains sufficient information to allow retrieval of a copy of the original media item stored in the repository (e.g., registration / count value) [0069] [0080] (i.e., "Top Ten" content) [0034] [Fig. 6].

As per Claims 17 and 47, Pyhalammi discloses the method of claim 1, wherein the identifier employed for the particular media item depends on the particular media item's type [0039].

As per Claims 18 and 48, Pyhalammi discloses the method of claim 1, wherein said restoring step includes: scanning incoming media items for any preexisting identifiers (e.g., 'monitoring' / detecting embedded digital watermarks) [0040].

As per Claims 19 and 49, Pyhalammi discloses the method of claim 18, further comprising: if an incoming media item does not have a preexisting identifier, assigning a new identifier for that incoming media item (302, 304) [Fig. 3].

As per Claims 22 and 52, Pyhalammi discloses the method 22. The method of claim 1, wherein the identifier is embedded in a digital watermark employed for the particular media item (Watermarked Images 922a-b) [Fig. 9].

As per Claims 23 and 53, Pyhalammi discloses the method of claim 1, wherein said particular media item comprises an image, and wherein the identifier is embedded in a digital watermark for the image (Watermarked Images 922a-b) [Fig. 9].

As per Claims 24 and 54, Pyhalammi discloses the method of claim 1, wherein the identifier is embedded in a digital watermark for the substitute copy, said identifier be embedded as a binary text string (i.e., binary / text) [0062].

As per Claims 25 and 55, Pyhalammi discloses the method of claim 1, wherein steps of the method are performed at a server computer that connects to mobile terminals [Fig. 4].

As per Claims 26 and 56, Pyhalammi discloses the method of claim 1, wherein at least some steps of the method are performed at mobile terminals, for providing distributed processing [Figs. 1, 4, 7 & 12].

As per Claims 27 and 57, Pyhalammi discloses the method of claim 1, wherein said message is transmitted via the Internet from a client device to a server (Internet 1214) [Fig. 12].

As per Claims 28 and 58, Pyhalammi discloses the method of claim 27, wherein the client device connects to the Internet via wireless connectivity [Figs. 1, 4, 7 & 12].

3. Claims 20-21 and 50-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pyhalammi et al (hereinafter Pyhalammi), U.S. Patent Publication US 2005/0091367 A1 in view of Rhoads et al (hereinafter Rhoads), U.S. Patent 6,522,769.

As per Claims 20 and 50, Pyhalammi in view of Rhoads discloses the method of claim 1, further comprising: removing from the repository any media item that is stale.

While Pyhalammi discloses substantial features of the invention such as the method of claim 1, and the method wherein the object reference identifier is embedded in a header for the JPEG image (i.e., indicator / watermark may be in the header) [0069], he does not explicitly disclose the additional feature of the method further comprising removing from the repository any media item that is stale. The feature is disclosed by Rhoads in a related endeavor.

Rhoads discloses as his invention a system and method for reconfiguring a watermark detector. In many applications, it is useful to be able to change the operation of a watermark detector. Such changes may include changing how the watermark detector decodes or interprets a watermark embedded in a signal of a given media type, such as audio, video or still images [Abstract]. In particular, Rhoads discloses the additional recited feature of the method further comprising removing from the repository any media item that is stale (e.g., expiration of watermark "date field") [Rhoads: col 6, L66 – col 7, L14].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Pyhalammi's invention with the above added feature, as disclosed by Rhoads, for the motivation of providing a system and method that allows reconfiguration of a watermark detector, and in particular, remote reconfiguration of the detector [col 1, L41-63].

As per Claims 21 and 51, Pyhalammi in view of Rhoads discloses the method of claim 20, wherein said removing step includes applying an aging mechanism to determine media items that are stale.

While Pyhalammi discloses substantial features of the invention such as the method of claim 1, and the method wherein the object reference identifier is embedded in a header for the JPEG image (i.e., indicator / watermark may be in the header)

[0069], he does not explicitly disclose the additional feature of the method wherein said removing step includes applying an aging mechanism to determine media items that are stale. The feature is disclosed by Rhoads in a related endeavor.

Rhoads discloses as his invention a system and method for reconfiguring a watermark detector. In many applications, it is useful to be able to change the operation of a watermark detector. Such changes may include changing how the watermark detector decodes or interprets a watermark embedded in a signal of a given media type, such as audio, video or still images [Abstract]. In particular, Rhoads discloses the additional recited feature of the method wherein said removing step includes applying an aging mechanism to determine media items that are stale (e.g., expiration of watermark "date field") [Rhoads: col 6, L66 – col 7, L14].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Pyhalammi's invention with the above added feature, as disclosed by Rhoads, for the motivation of providing a system and method that allows reconfiguration of a watermark detector, and in particular, remote reconfiguration of the detector [col 1, L41-63].

### ***Conclusion***

1. The Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified

citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenford Madamba whose telephone number is 571-272-7989. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Wallace Martin can be reached on 571-272-3440. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

Art Unit: 2151

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/John Follansbee/  
Supervisory Patent Examiner, Art Unit 2151

Glenford Madamba  
Examiner  
Art Unit 2151